

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:06CR288
)	
vs.)	AMENDED ORDER TO RETURN
)	PROPERTY AND FINAL ORDER
)	OF FORFEITURE
CORY RICHARDS,)	
)	
Defendant.)	

This matter is before the Court on the United States' Motion to Amend Order to Return Property and Final Order of Forfeiture and Memorandum Brief (Filing No. 158). The Court reviews the file in this case and, being duly advised in the premises, find as follows:

1. On May 14, 2007, this Court entered an Order to Return Property and Final Order of Forfeiture (Filing No. 154), forfeiting a Lorcin Model 380 handgun, serial number 42646, and \$1,182.00 in United States currency. The Order also directed the U. S. Marshal's Service to return \$455.00 to the Defendant through the trust account of his attorney.

2. Since the entry of said Order, on representation of the United States, it was discovered the \$455.00 did not belong to the Defendant, as the United States had originally believed. Rather, it was "buy money" the Nebraska State Patrol had used in its case against the Defendant, and was seized from the Defendant at the time other currency was seized from him. The United States submits said \$455.00 should not be returned to the Defendant; rather, it should be returned to the Nebraska State Patrol. This Court agrees.

IT IS ORDERED:

A. The Plaintiff's Motion to Amend Order to Return Property and Final Order of Forfeiture (Filing No. 158) is hereby sustained.

B. The U. S. Marshal's Service shall return \$455.00 to the Nebraska State Patrol.

C. All of aspects of this Court's Order to Return Property and Final Order of Forfeiture (Filing No. 154) shall remain in full force and effect.

DATED this 25th day of May, 2007.

BY THE COURT:

S/ Laurie Smith Camp
United States District Court